

Remarks

Claims 1, 2, 4-64 and 72-79 are pending in the present application. Claims 65-71 have previously been withdrawn from consideration. Claims 64, 73-79 are allowed. Claims 1, 2 4-20 and 72 are rejected. Claims 21-63 are objected to.

The paragraph starting on p. 12, l. 5 of the Specification is amended to replace "the dielectric layer" with "a clear-coat coating." This amendment corrects an obvious error in that this paragraph is discussing the clear-coat coating and not the dielectric layer.

Claims 1, 2, 21, 40, 48, and 63. Applicant hereby reserves the right to present these claims in a subsequent continuing application.

New claims 80-86 are presented for examination. Claim 80 combines the limitations of claims 1, 2, 20, and 21. The Examiner has indicated that claim 21 would be allowable if rewritten in independent form. Claim 81 combines the limitations of claims 1, 2, and 40. The Examiner has indicated that claim 40 would be allowable if rewritten in independent form. Claim 82 combines the limitations of claims 1, 2, and 48. The Examiner has indicated that claim 48 would be allowable if rewritten in independent form. Claim 83 combines the limitations of claims 1, 2, and 63. The Examiner has indicated that claim 48 would be allowable if rewritten in independent form. In claim 83 "dielectric layer" is replaced with "clear-coat coating." Moreover, "electroluminescent active layer" is replaced with electroluminescent lamp. The Specification on p. 12, ll. 5-18 make it clear that the entire lamp is coated with the clear-coat coating. New claims 84-86 each provide a narrower list of choices for the at least one oligomer.

Claims 17-20 are each amended to depend from claim 72. Claim 22 is amended to depend from claim 80. Claim 41 is amended to depend from claim 81. Claim 49 is amended to depend from claim 82. Claims 55-59 are amended to depend from claim 82. No

new matter is added by these amendments. Claims 57-58 are amended to include the word "composition" which was inadvertently left out.

1. Rejection Under 35 U.S.C. §102(b)

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by WO96/22005 ("WO'005") (see Etzbach et a, 5,922,481.)

Claim 1 is cancelled thereby rendering the rejection of this claim as being anticipated by WO96/22005 moot. However, applicant states that he has not acquiesced in his argument that the present invention is patently distinct from a dual curing system (heat and radiation). Applicant cancels this claim to expedite prosecution of this case.

Claims 1, 2 and 17-20 are rejected under 35 U.S.C. §102(b) as being anticipated by deSouza (U.S. Pat. No. 4,684,353.)

Claims 1 and 2 are cancelled thereby rendering rejection of these claims as being anticipated by deSouza moot. Claims 17-20 are amended to depend from claim 72 which is not anticipated by deSouza. Accordingly claims 17-20 are now allowable over deSouza.

2. Rejection Under 35 U.S.C. §103(b)

Claims 1, 2, and 17-20 are rejected under 35 U.S.C. §103(b) as being unpatentable over deSouza (U.S. Pat. No. 4,684,353.)

Claims 1 and 2 are cancelled thereby rendering rejection of these claims as being unpatentable over deSouza moot. Claims 17-20 are amended to depend from claim 72 which is patentable over deSouza. Accordingly claims 17-20 are now allowable over deSouza.

3. Provisional Rejection Under the Doctrine of Obvious-Type Double Patenting

Claims 1, 2, 4-20, and 72 are provisionally rejected under the judicially created doctrine of obvious-type double patenting over copending application 10/089,960 in view of WO'005.

Claims 1 and 2 are cancelled.

Applicant points out to the Examiner that application 10/089,960 has now issued into U.S. Patent No. 6,767,577 . A properly executed Terminal Disclaimer is filed herewith this Amendment. Accordingly, claims 4-40 and 72 are now allowable over this rejection.

3. Allowable Subject Matter

The Examiner has indicated that claims 21-63 would be allowable if rewritten in independent form.

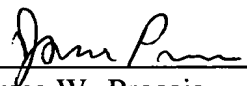
Claims 21, 40, 48 and 63 have been cancelled and replaced with independent claims 80, 81, 82. Claim 80 combines the limitations of claims 1, 2, 20, and 21. The Examiner has indicated that claim 21 would be allowable if rewritten in independent form. Accordingly, claim 80 and its dependent claims 22-39 are now allowable. Claim 81 combines the limitations of claims 1, 2, and 40. The Examiner has indicated that claim 40 would be allowable if rewritten in independent form. Accordingly, claim 81 and its dependent claims 41-47 are now allowable. The Examiner has indicated that claim 48 would be allowable if rewritten in independent form. Claim 82 combines the limitations of claims 1, 2, and 48. Accordingly, claim 82 and its dependent claims 49-63 are now allowable. Finally, claim 83 combines the limitations of claims 1, 2, and 63. Moreover, as set forth above claim 83 has "dielectric layer" replaced with "clear-coat coating" and "electroluminescent active layer" replaced with "electroluminescent lamp". Since the Examiner has indicated the allowability of claim 63 if rewritten in independent form, independent claim 83 is also allowable.

Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Respectfully submitted,

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